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8 Attorneys for Plaintiffs
9 UMG RECORDINGS, INC.; WARNER BROS.
10 RECORDS INC.; CAPITOL RECORDS, INC.;
11 ELEKTRA ENTERTAINMENT GROUP INC.;
12 AND ARISTA RECORDS LLC

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 UMG RECORDINGS, INC., a Delaware
17 corporation; WARNER BROS. RECORDS
18 INC., a Delaware corporation; CAPITOL
19 RECORDS, INC., a Delaware corporation;
20 ELEKTRA ENTERTAINMENT GROUP INC.,
21 a Delaware corporation; and ARISTA
22 RECORDS LLC, a Delaware limited liability
23 company,

24 Plaintiffs,

25 v.

26 SARA POSTER,

27 Defendant.

Case No. C06-2051 JF

Honorable Jeremy Fogel

***EX PARTE APPLICATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND [PROPOSED] ORDER***

Plaintiffs hereby request that the Court continue the case management conference currently set for January 12, 2007, at 10:30 a.m. to April 13, 2007. Plaintiffs filed the complaint against Defendant on March 17, 2006. Defendant has not yet been served. Plaintiffs have made numerous attempts at personal service, and are now trying to verify plaintiff's address. Since filing the complaint, Plaintiffs' counsel has spoken with Defendant three times by calling Defendant on her mobile telephone. In each of these conversations, Plaintiffs' counsel has described the nature of the case, and told Plaintiffs are attempting to serve Defendant with the summons and complaint. Defendant has refused to give Plaintiffs an address for service. Additionally, Plaintiffs' counsel has learned that Defendant was admitted as a member of the California Bar on December 1, 2006. Defendant verified this fact when Plaintiffs' counsel spoke with Defendant on November 21, 2006. Plaintiffs' have attempted to serve Defendant at the address provided on the California State Bar website, however the address provided for Defendant is a post office box, and therefore Defendant cannot be served at that address. Plaintiffs are diligently attempting to serve Defendant, and remain in the process of attempting to locate Defendant's address. A case management is therefore unnecessary at this time. Plaintiffs thus hereby request that the Court continue the case management conference currently set for January 12, 2007, at 10:30 a.m. to April 13, 2007.

DATED: January 4, 2007

HOLME ROBERTS & OWEN LLP

By: /s/ Thomas Kerr

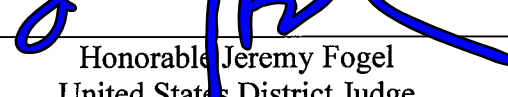
Thomas M. Kerr
Attorney for Plaintiffs

ORDER

Good cause having been shown:

IT IS ORDERED that the case management conference currently set for for January 12, 2007, at 10:30 a.m. is continued until April 13, 2007.

Dated: 1/10/07

By: 
Honorable Jeremy Fogel
United States District Judge

PROOF OF SERVICE

STATE OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO

I am employed in the office of Holme Roberts & Owen in San Francisco, California. I am over the age of eighteen years and not a party to the within action. My business address is 560 Mission Street, 25th Floor, San Francisco, CA 94105.

On January 4, 2007, I served the foregoing documents described as:

**EX PARTE APPLICATION TO CONTINUE CASE MANAGEMENT CONFERENCE AND
[PROPOSED] ORDER**

on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

Sara Poster
2324 Dwight Way, Apt. 304
Berkeley, CA 94707

X BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

X (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 4, 2007 at San Francisco, California.


Molly Morris